

IN THE SUPREME COURT OF THE STATE OF DELAWARE

ERRICK M. WRIGHT,	§
	§ No. 313, 2009
Respondent Below-	§
Appellant,	§
	§ Court Below—Family Court
v.	§ of the State of Delaware
	§ in and for New Castle County
DCSE et al.,	§ File No. 0705010433
	§ CPI No. 07-05911
Petitioners Below-	§
Appellees.	§

Submitted: June 24, 2009

Decided: June 29, 2009

Before **STEELE**, Chief Justice, **JACOBS** and **RIDGELY**, Justices.

ORDER

This 29th day of June 2009, it appears to the Court that:

(1) The appellant has filed a notice of appeal from a decision of a Family Court Commissioner dated April 29, 2009. The Clerk of the Court issued a notice to show cause why the appeal should not be dismissed for this Court's lack of jurisdiction to consider an appeal directly from a decision of a Family Court Commissioner. The appellant filed a response to the notice to show cause on June 24, 2009. In the response, the appellant argues that Del. Code Ann. tit. 10, § 1051 grants this Court jurisdiction to hear the instant appeal.

(2) A Commissioner's decision is not a final judgment for purposes of appeal to this Court.¹ A party's right of review from a Commissioner's decision shall be to a judge of the Family Court.² Accordingly, this Court lacks jurisdiction to consider the instant appeal in the first instance and it, therefore, must be dismissed.³

NOW, THEREFORE, IT IS ORDERED that this appeal is DISMISSED.

BY THE COURT:

/s/ Henry duPont Ridgely
Justice

¹ *Redden v. McGill*, 549 A.2d 695, 697-98 (Del. 1988).

² Del. Code Ann. tit. 10, § 915(d).

³ While Del. Code Ann. tit. 10, § 1051 addresses this Court's general appellate jurisdiction, it does not confer jurisdiction upon this Court to hear an appeal directly from the decision of a Family Court Commissioner.